

HON. JUDGE BENJAMIN H. SETTLE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

RANDOLFF SCOTT RUFFELL
WESTOVER and ANDREA WESTOVER,
husband and wife, and the marital
community composed thereof,

Plaintiffs,

v.

PROVIDENT LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

No. 3:20-cv-05931-BHS

[PROPOSED] ORDER DENYING
PROVIDENT'S MOTION TO
DISMISS FOR ERISA PREEMPTION

NOTE ON MOTION CALENDAR:
April 16, 2021

This matter comes before the Court on Provident's motion to dismiss regarding its affirmative defense of ERISA preemption. The Court has considered the motion, the exhibits thereto, the Westovers' opposition, and Provident's reply. It is hereby ORDERED that Provident's motion is DENIED.

Dated this ___ day of _____, 2021.

THE HONORABLE BENJAMIN H. SETTLE
United States District Court Judge

Presented by:

/s/ McKean J. Evans

McKean J. Evans, WSBA #52750

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